



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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May 13, 2003



In reply refer to:
6840(P)
CA-930

EMS TRANSMISSION: 5/13/03
Information Bulletin No. CA-2003-041

To: District Manager, California Desert

From: State Director

Subject: Proposed Critical Habitat for the Coastal California Gnatcatcher

DD: 6/19/03

On April 24, 2003, the Fish and Wildlife Service (FWS) published a notice (*Federal Register* 68:20228-20312) proposing critical habitat for the coastal California gnatcatcher (*Polioptila californica californica*). (See Attachment 1.) The proposed rule also solicits information concerning whether the listing of the coastal California gnatcatcher should be changed from the subspecies indicated above to a Distinct Population Segment of the California gnatcatcher (*Polioptila californica*). The FWS is considering revising the taxonomic classification of this threatened "species" based on new genetic information that raises questions about the distinctiveness of the subspecies.

There is some overlap of proposed critical habitat with BLM administered land in some of the proposed critical habitat units. Please review the proposed rule, and associated maps, and advise CA-930 (Attn: Ed Lorentzen) if you have comments or suggestions regarding the proposed critical habitat boundaries, or any other aspects of the proposed rule. The deadline for submitting comments to FWS is June 23, 2003. Please provide us with your comments, if any, in electronic format by the close of business June 19, 2003.

Now that critical habitat is proposed for this species, the conference requirements of Section 7(a)(4) of the Endangered Species Act and its implementing regulations at 50 CFR 402.10 are applicable to any BLM actions likely to cause the destruction or adverse modification of proposed critical habitat. Additionally, the guidance in Manual Section 6840.06B1 calls for BLM to confer with FWS "... on any action that is likely to adversely affect a proposed species or proposed critical habitat." Any outstanding requests for formal consultation with FWS on the coastal California gnatcatcher should be updated to include conference on proposed critical habitat.

Questions regarding the proposed rule may be directed to Ed Lorentzen at (916) 978-4646.

Signed by:
J. Anthony Danna
Acting State Director

Authenticated by:
Richard A. Erickson
Records Management

Attachment

- 1 - Proposed Rule to Designate Critical Habitat for the Coastal California Gnatcatcher (85 pp.)

Distribution

CA-660 (Attn: Joel Schultz)
WO-230, MS 204 LS (Attn: Peggy Olwell)